

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

AMERICA 2030 CAPITAL LLC

Plaintiff,

v.

Case No.: 1:19-cv-04136-WMR

SUNPOWER GROUP LTD, GE
CUIPING, CHEN KAI, JIANG NING,
LAU PING SUM (AKA “PEARCE”),
THE EDGE MEDIA GROUP PTE
LTD, TONG KOOI ONG, PC LEE,
MICHELLE ZHU, DCP CAPITAL
PARTNERS L.P., HAIFENG DAVID
LIU, CDH INVESTMENT
ADVISORY PTE LTD, HUANG YAN,
LI GANG, YING WEI, SONG
XIAOMING, FRANCIS HO, GUO LI,
WILLIAM HSU, UOB KAY HIAN
PTE LTD, UNITED OVERSEAS
BANK LIMITED,

Defendants.

**DEFENDANT CDH INVESTMENT ADVISORY PTE LTD’S CONSENTED
TO MOTION FOR EXTENSION OF TIME TO RESPOND TO THE
COMPLAINT¹**

Undersigned counsel represents Defendant CDH Investment Advisory Pte
Ltd (“CDH”). CDH was served on August 16, 2019, and removed this case to

¹ The Complaint, ECF No. 1-2, includes misnomers of the following
Defendants: CDH Investment Advisory Pte Ltd (named in the Complaint as “CDH

federal court on September 13, 2019. *See generally* Doc. 1. Because it removed the case to federal court, CDH's deadline to respond to the Complaint is this Friday, September 20, 2019. *See* Fed. R. Civ. P. 81(c)(2)(C). CDH needs additional time to gather and review information needed in order to respond. In addition, CDH is located in Singapore, which is twelve hours ahead of Atlanta, which complicates counsel's ability to effectively and timely communicate with CDH's representatives. CDH therefore requests a 30-day extension of its time to respond to the Complaint. No prior request for an extension of time has been made.

Counsel for CDH also represents several—but not all—of the other Defendants named in the Complaint.² These Defendants are all foreign nationals or foreign companies. In addition, there are other Defendants in this action that are not represented by the undersigned counsel who also may need additional time to respond to the Complaint, given the shortening of the response time due to the

Investments"); Francis Ho (named in the Complaint as "Hu Ning"); Ge Cuiping (named in the Complaint as "Ge Cui Xin"); Haifeng David Liu (named in the Complaint as "David Lu"); and DCP Capital Partners L.P. (named in the Complaint as "DCP Capital Partners").

² In addition to CDH, the undersigned counsel represent Sunpower Group Ltd, Ge Cuiping, Chen Kai, Jiang Ning, Lau Ping Sum, DCP Capital Partners, L.P., Haifeng David Liu, Huang Yan, Li Gang, Ying Wei, Song Xiaoming, Francis Ho, Guo Li, and William Hsu.

removal. *Compare* Fed. R. Civ P. 81(c) (providing at least seven days from the date of removal to answer or otherwise respond to the complaint) *with* O.C.G.A. § 9-11-4(h) (providing 30 days from the filing of affidavits of service to answer or otherwise respond to the complaint).³ In the interests of justice and judicial efficiency, CDH asks that the Court grant a 30-day extension of the time for *all* defendants to answer or otherwise respond to the Complaint as they may choose.

In conclusion, CDH requests the following: (1) that this Court grant a 30-day extension of CDH's deadline to answer or otherwise respond to the Complaint, which would extend CDH's deadline from September 20, 2019, through October 21, 2019; and (2) that this Court set October 21, 2019 as the date by which the other Defendants besides CDH may answer or otherwise respond to the Complaint as they may choose. Plaintiff's counsel has indicated that he consents to these requests.

A proposed Order is attached for the Court's consideration.

Submitted this 19th day of September, 2019.

/s/ Richard H. Sinkfield
Richard H. Sinkfield
Georgia Bar No. 649100
Dan F. Laney

³ When this case was removed on Friday, September 13, Plaintiff America 2030 had not filed any affidavits of service in the Cobb County action. After removal, on Monday, September 16, Plaintiff filed eighteen affidavits of service.

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*Counsel for Defendants CDH Investment
Advisory Pte Ltd, Sunpower Group Ltd, Ge
Cuiping, Chen Kai, Jiang Ning, Lau Ping
Sum, DCP Capital Partners, L.P., Haifeng
David Liu, Huang Yan, Li Gang, Ying Wei,
Song Xiaoming, Francis Ho, Guo Li, and
William Hsu*

CERTIFICATE OF COMPLIANCE

I certify that this document complies with the font and formatting requirements of Local Rules 5.1C and 7.1D.

/s/ Richard H. Sinkfield

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2019, I have this day served the foregoing through the Court's CM/ECF system, which will automatically notify all counsel of record, and by placing a copy of it in the United States mail addressed to:

Timothy F. Coen
TFCoen Law Firm LLC
1000 Davis Drive
Atlanta, Georgia 30327

/s/ Richard H. Sinkfield
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XIAMING, FRANCIS HO, GUO LI,
WILLIAM HSU, UOB KAY HIAN
PTE LTD, UNITED OVERSEAS
BANK LIMITED,

Defendants.

[PROPOSED] ORDER

Upon consent of the parties, it is hereby ORDERED: (1) that CDH's deadline to answer or otherwise respond to the Complaint is extended through and including

October 21, 2019; and (2) that the other Defendants may answer or otherwise respond to the Complaint by October 21, 2019, as they may choose.

SO ORDERED this ____ day of September, 2019.

WILLIAM M. RAY, II
UNITED STATES DISTRICT JUDGE

Consented to by:

/s/ Timothy F. Coen

Timothy F. Coen
TFCoen Law Firm LLC
1000 Davis Drive
Atlanta, Georgia 30327

Counsel for Plaintiff

Signed with express permission by
Richard H. Sinkfield

Consented to by:

/s/ Richard H. Sinkfield

Richard H. Sinkfield
Georgia Bar No. 649100
*Counsel for Defendants CDH
Investment Advisory Pte Ltd, Sunpower
Group Ltd, Ge Cuiping, Chen Kai,
Jiang Ning, Lau Ping Sum, DCP
Capital Partners, L.P., Haifeng David
Liu, Huang Yan, Li Gang, Ying Wei,
Song Xiaoming, Francis Ho, Guo Li,
and William Hsu*